

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *ag* D.C.
05 DEC 14 PM 4:21
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

FRANK A. ROBERTSON,

Plaintiff,

vs.

No. 05-2579 D/P

JURY DEMANDED

SHELBY COUNTY, TENNESSEE dba
SHELBY COUNTY JAIL DIVISION,
MAYOR A C WHARTON, JR., individually
and as Mayor of Shelby County, SHERIFF
MARK LUTTRELL, JR., individually and as
Sheriff of Shelby County, and UNKNOWN
AGENTS OF SHERIFF MARK LUTTRELL
or MAYOR A C WHARTON, JR.,

Defendants.

~~[PROPOSED]~~ RULE 16(b) SCHEDULING ORDER

The Plaintiff, represented by John Michael Bailey, the Defendants Shelby County, Tennessee, Mayor Wharton, and Sheriff Luttrell, represented by Debra L. Fessenden and Felisa N. Cox, have proposed the following dates to govern this cause:

INITIAL DISCLOSURES PURSUANT To the Fed. R. Civ. P. 26(a)(1):	December 29, 2005
JOINING PARTIES:	February 15, 2006
AMENDING PLEADINGS:	February 15, 2006
INITIAL MOTIONS TO DISMISS:	March 15, 2006
COMPLETING ALL DISCOVERY:	August 15, 2006
DOCUMENT PRODUCTION:	August 15, 2006

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 12/15/05

(a)

DEPOSITIONS, INTERROGATORIES AND
REQUEST FOR ADMISSIONS:

August 15, 2006

EXPERT DISCLOSURE (Rule 26):

DISCLOSURE OF PLAINTIFF'S
RULE 26 EXPERT INFORMATION:

June 15, 2006

DISCLOSURE OF DEFENDANTS'S
RULE 26 EXPERT INFORMATION:

July 14, 2006

EXPERT WITNESS DEPOSITIONS:

August 15, 2006

FILING DISPOSITIVE MOTIONS:

September 15, 2006

OTHER RELEVANT MATTERS:

None

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial, and the trial is expected to last three to four days. The presiding judge will set the pretrial order date, pretrial conference date, and trial date.

This case may be appropriate for ADR but it is too soon to tell. The parties will be in a better position to make that determination at or near the close of discovery in the cause. The parties will make their own determination as to the type of ADR once they agree that the case is appropriate for ADR.

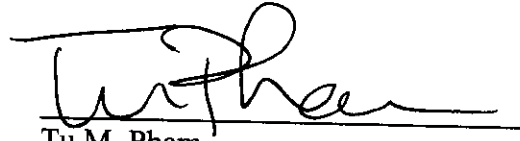
The parties are reminded that pursuant to Local Rule 11 (a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have consented to trial before the magistrate judge.

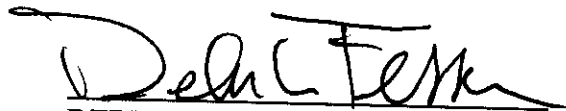
This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.


Tu M. Pham
United States Magistrate Judge

DATE: December 14, 2005

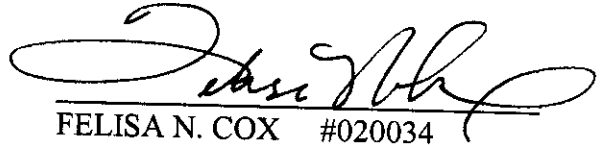
APPROVED:



DEBRA L. FESSENDEN #011818

Assistant County Attorney

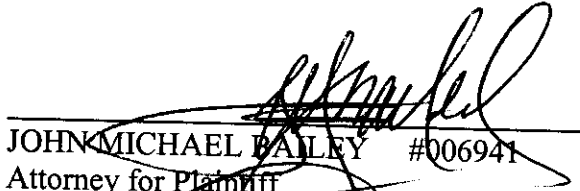
Attorney for Shelby County,
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FELISA N. COX #020034

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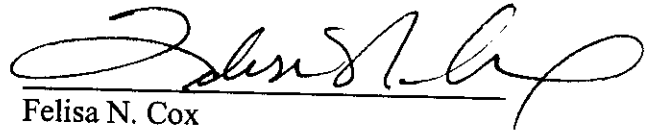
JOHN MICHAEL BAILEY #006941

Attorney for Plaintiff

5978 Knight Arnold Road Suite 400
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901.529.1010

CERTIFICATE OF SERVICE

I, Felisa N. Cox, do hereby certify that a copy of the foregoing has been served via U.S. Mail Postage prepaid, to Mr. John Michael Bailey, Attorney at Law, 5978 Knight Arnold Road, Suite 400, Memphis, Tennessee 38115, on this the 7th day of December 2005.


Felisa N. Cox



Notice of Distribution

This notice confirms a copy of the document docketed as number 9 in case 2:05-CV-02579 was distributed by fax, mail, or direct printing on December 15, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT